

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DENISE PIECHOWICZ, Individually and as
Administratrix of the Estate of J.P., Deceased,

Plaintiff,

-vs-

NOTICE OF REMOVAL
Civil Case No.: 1:17-cv-845

LANCASTER CENTRAL SCHOOL DISTRICT,
PETER F. KRUSZYNSKI,
LANCASTER BOARD OF EDUCATION,
KENNETH GRABER, ESQ.,
PATRICK UHTEG,
WENDY BUCHERT,
WILLIAM GALLAGHER,
MARY MACKAY,
KIMBERLY NOWAK,
MICHAEL SAGE,
MICHAEL VALLELY, PhD,
MARIE PERINI,
JOHN ARMSTRONG,
ANDREW KUFEL,

Defendants.

Pursuant to Title 28 United States Code §§ 1441, et. seq., defendants hereby remove this action to this Court from the Supreme Court of the State of New York for the County of Erie. The grounds for removal are as follows:

1. Defendants are named in a Summons and Complaint received by their counsel within the applicable period immediately preceding the date of this Notice of Removal. A copy of the Summons and Complaint is attached as **Exhibit A**.
2. In the Complaint, plaintiff alleges a violation of decedent's civil rights under the Constitution of the United States and federal law and, as such, this Court has jurisdiction over

the action pursuant to Title 28, United States Code § 1331.

3. Consequently, this action may be removed to this Court pursuant to Title 28, United States Code § 1441.

4. The time for defendants to answer or move against the Complaint has not yet expired.

WHEREFORE, defendants hereby give notice of the removal of the action to this Court.

Dated: Buffalo, New York
August 28, 2017

/s/Daniel T. Cavarello
Daniel T. Cavarello, Esq.
SUGARMAN LAW FIRM
Attorneys for Defendants
Office and Post Office Address
14 Lafayette Square
1600 Rand Building
Buffalo, NY 14203
Telephone: (716) 847-2523
dcavarello@sugarmanlaw.com

TO:
Colleen P. Fahey, Esq.
BROWN CHIARI, LLP
Attorneys for Plaintiff
Office and Post Office Address
2470 Walden Avenue
Buffalo, New York 14225-4751
Telephone: (716) 681-7190